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DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Division 2
HEINZ AVE., SUITE 200
BERKELEY, CA 94710-2737

(510) 540-3724

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CHROM



July 24, 1992

CERTIFIED MAIL

Mr. Lawrence Marcus, Esquire
Office of Counsel
U.S. Department of
Housing and Urban Development
P.O. Box 36003-9CE
San Francisco, California 94102

**NOTICE OF FINAL DETERMINATION OF NON-COMPLIANCE WITH IMMINENT AND
SUBSTANTIAL ENDANGERMENT ORDER AND REMEDIAL ACTION ORDER I/SE-
90/91-004-MIDWAY VILLAGE, DALY CITY, CALIFORNIA**

On December 16, 1992, the Department of Toxic Substances Control (the Department) issued Imminent and Substantial Endangerment Order and Remedial Action Order I/SE-90/91-004 (Order), naming the U.S. Department of Housing and Urban Development (HUD) as a Respondent in the matter of Midway Village, Daly City, California. The Order advised HUD that failure to comply could also result in penalties for non-compliance. On March 11, 1992, the Department of Toxic Substances Control sent HUD a Notice of Proposed Determination of Non-Compliance.

As of July 24, 1992 our records indicate that you have not submitted required documents, taken required action, or requested a modification to the Order or that your request for modification to the Order is not acceptable.

Therefore, THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL HEREBY DETERMINES THAT YOU ARE NOT IN COMPLIANCE WITH THE TERMS OF THE ORDER. Having so determined, the Department will take further action, which may include enforcement action and/or performance of the work required of HUD in the order. The Department will add the additional costs resulting from the performance of that work to all other costs incurred, including administrative costs, which the Department will seek to recover from you in this matter.



Midway Village
Mr. Lawrence Marcus, Esquire
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If you have any questions about this letter, please contact
Beth Bufton of my staff at (510) 540-3840 or Michael Shepard of
the Toxics Legal Office at (916) 324-5780.

Sincerely,



Barbara J. Cook P.E., Chief
Region 2 Site Mitigation Branch

Certified Mail No.: P 105 530 461

cc: Robert Doss, Project Officer
Manufactured Gas Plant Project
Pacific Gas & Electric Company
Environmental Services
P.O. Box 7640
San Francisco, California 94120

Yvonne Meeks, Project Officer
Pacific Gas & Electric Company
Environmental Services
P.O. Box 7640
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San Mateo County
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Maurice Dawson, Director
San Mateo County Housing Authority
450 Peninsula Avenue
San Mateo, California 94401

Richard Brownscombe, Director
Midway Village Office
47 Midway Drive
Daly City, California 94014

Midway Village
Mr. Lawrence Marcus, Esquire
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cc: Peter Finck, Esq.
Hall of Justice and Records
401 Marshall Street
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U.S. Army Corps of Engineers
HTW-Section, Engineering Division
FUDS Sites
650 Capitol Mall
Sacramento, California 95814
Code: CES-PK-ED-M

Randy Friedman
Installation Restoration Coordinator
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Midway Village
Mr. Lawrence Marcus, Esquire
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Joyce Roberson, Acting Director
Management Division, Office of Public Housing
U.S. Dept. of Housing
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450 Golden Gate Avenue
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Toxic's Legal Office
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DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2

7 HEINZ AVE., SUITE 200
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July 24, 1992

CERTIFIED MAIL

Marvin Norman, Esquire
Office of the General Counsel
Counsel for the Western Division
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, California 94066-2402

Dear Mr. Norman:

**NOTICE OF FINAL DETERMINATION OF NON-COMPLIANCE WITH IMMINENT AND
SUBSTANTIAL ENDANGERMENT ORDER AND REMEDIAL ACTION ORDER I/SE-
90/91-004-MIDWAY VILLAGE, DALY CITY, CALIFORNIA**

On December 16, 1992, the Department of Toxic Substances Control (the Department) issued Imminent and Substantial Endangerment Order and Remedial Action Order I/SE-90/91-004 (Order), naming the U.S. Navy as a Respondent in the matter of Midway Village, Daly City, California. The Order advised the Navy that failure to comply could also result in penalties for non-compliance. On March 11, 1992, the Department of Toxic Substances Control sent the Navy a Notice of Proposed Determination of Non-Compliance.

As of July 24, 1992 our records indicate that you have not submitted required documents, taken required action, or requested a modification to the Order or that your request for modification to the Order is not acceptable.

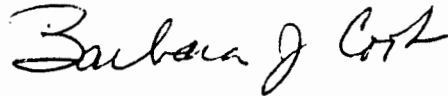
Therefore, THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL HEREBY DETERMINES THAT YOU ARE NOT IN COMPLIANCE WITH THE TERMS OF THE ORDER. Having so determined, the Department will take further action, which may include enforcement action and/or performance of the work required of the Navy in the order. The Department will add the additional costs resulting from the performance of that work to all other costs incurred, including administrative costs, which the Department will seek to recover from you in this matter.



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If you have any questions about this letter, please contact
Beth Bufton of my staff at (510) 540-3840 or Michael Shepard of
the Toxics Legal Office at (916) 324-5780.

Sincerely,



Barbara J. Cook P.E., Chief
Region 2 Site Mitigation Branch

Certified Mail No.: P 105 530 477

cc: Robert Doss, Project Officer
Manufactured Gas Plant Project
Pacific Gas & Electric Company
Environmental Services
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